



1636

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Applicant(s): GRAHAM ET AL.

Serial No.: 09/981,685

Filed: October 17, 2001

Title: ADENOVIRUSES FOR CONTROL  
OF GENE EXPRESSION

Group Art Unit: 1636

Examiner: Unknown

Attorney Docket No.: ADVEC10IA-C5A

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Certification under 37 CFR 1.97(e), or  
☐ a \$240.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Certification under 37 CFR 1.97(e), and  
☐ a petition under 37 CFR 1.97(d)(2)(ii), and  
☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation, citing patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. All of the cited documents are of record in the

parent cases and can be located in the case file for either U.S. Patent No. 6,120,764 issued on 9/19/2000 or U.S. Serial No. 09/415,899 filed on 10/08/1999, now abandoned.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

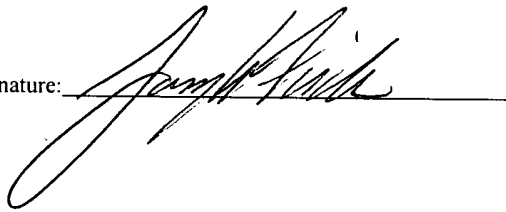
It is requested that the information disclosed herein be made of record in this application.

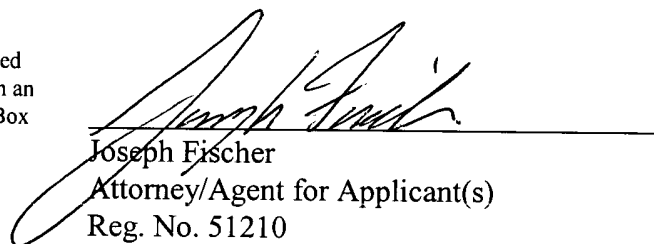
Respectfully submitted,

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Attorney/Agent for Applicant(s)  
Reg. No. 51210

Date: June 20, 2003

Telephone No.: 407-240-0085



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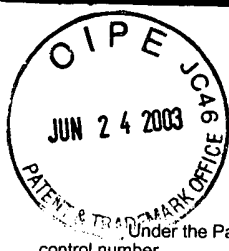
<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/981,682
				Filing Date	10/17/2000
				First Named Inventor	Graham et al.
				Art Unit	1636
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	ADVEC10IA-C5A
Sheet	1	of	4		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-4,510,245	04-09-1985	Cousens et al.	
		US-4,797,368	01-10-1989	Carter et al.	
		US-4,920,209	04-24-1990	Davis et al.	
		US-4,920,211	04-24-1990	Tibbets et al.	
		US-5,434,066	07-1995	Bebee et al.	
		US-5,670,488	09-23-97	Gregory et al.	
		US-5,817,492	10-1998	Saito et al.	
		US-5,882,877	03-16-1999	Gregory et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		EP 0300422	01/1989			
		WO 93/19092	09/1993			
		WO 93/06223	04-01-1993			
		WO 93/19191	09/1993			
		WO 94/08026	04-14-1994	Kahn et al.		
		WO 94/12649	06-09-1994	Gregory et al.		
		WO 95/27071	10-1995	University of Texas		
		WO 96/13597	04-09-1996	Wilson et al.		
		WO 97/25446	07-1997	Kaleko		
		WO 97/32481	09-12-1997	Hardy		

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<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Filing Date	10/17/2001
		First Named Inventor	Graham et al.
		Group Art Unit	1636
		Examiner Name	
		Attorney Docket Number	ADVEC10IA-C5A
Sheet	2	of	4

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		Application Number	09/981,685
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Filing Date	10/17/2001
		First Named Inventor	Graham et al.
		Group Art Unit	1636
		Examiner Name	
		Attorney Docket Number	ADVEC10IA-C5A
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		METZGER, D., J. CLIFFORD, H. CHIBA and P. CHAMBON. 1995. Conditional site-specific recombination in mammalian cells using a ligand-dependent chimeric Cre protein. Proc. Nat'l. Acad. Sci. USA 92: 6991-6995.	
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